

## **SUPPORTING STATEMENT A FOR Drug Activity Questionnaire**

### **A. JUSTIFICATION**

**1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

Pursuant to the Memorandum of Understanding (MOU) between the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and the Office of Personnel Management (OPM), dated March 3, 2000, ATF is authorized to conduct personnel security and suitability background investigations and periodic reinvestigations. Investigations are conducted on applicants and employees in competitive service positions, as well as candidates, contractors, task force officers (TFOs), or volunteers/interns in ATF service provider positions. All personnel security investigations are conducted in accordance with the Intelligence Reform and Terrorism Prevention Act of 2004, 5 C.F.R. Part 736, and Executive Orders 13467 and 13764.

ATF recruits individuals for placement into full time equivalent Federal positions and solicits individuals through the Federal acquisition process to fill non-ATF personnel (contractors, TFOs, and volunteers/interns) positions. Candidates who are tentatively selected for positions must meet Federal, Department of Justice (DOJ), and ATF basic qualification requirements, before they may be granted access to ATF information, information technology (IT) systems, and/or unescorted access to ATF facilities. Individuals will not be granted access if they fail to comply with these requirements and receive an unfavorable adjudication of their background.

**2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

The Drug Activity Questionnaire – ATF Form 8620.12 will be used to collect personally identifiable information (PII), which will be used to determine if a candidate (respondent) can be granted access to ATF information, IT systems, and/or unescorted access to ATF facilities. This collection includes information relating to ATF drug policy requirements.

ATF's Personnel Security Division (PSD) staff will compare the respondent's completed ATF F 8620.12 to ATF drug policy guidelines. Based on this analysis, a determination will be made whether the respondent meets ATF drug policy requirements and may be granted access to ATF information, IT systems, and/or unescorted access to ATF facilities.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and**

**the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.**

ATF makes every effort to take advantage of electronic collection and dissemination capabilities available. The fillable ATF Form 8620.12 (with electronic signature capability) will be available on the ATF portal: <https://eforms.atf.gov/> for download and distribution by ATF sponsors (human resources specialists and contracting officer's representatives) to respondents. The form will be emailed to respondents along with submission instructions for returning the completed package to ATF for processing. Respondents will be able to electronically complete the form, print, and mail it to a specific address provided by ATF. Respondents will also have the option of electronically submitting an encrypted or password protected completed form by email. Individuals with disabilities will also be able to access and complete this form. ATF will try to implement a fully electronic submission process, which would reduce the public cost burden for mailing completed forms.

**4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item A.2 above.**

ATF uses a uniform subject classification system for forms to identify duplication and to ensure that any similar information already available cannot be used or modified for use for the purpose of this information collection.

**5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.**

There is no significant impact on small business or other private entities.

**6. Describe the consequence to federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

ATF must ensure that all employees and non-ATF personnel have the highest degree of integrity and character, while maintaining the safety and security of ATF information, IT systems, and facilities. ATF would be unable to ensure the safety and security of its resources without this information collection. A candidate's onboarding for employment would also be delayed without this information collection.

**7. Explain any special circumstances that would cause an information collection to be conducted in a manner:**

- **requiring respondents to report information to the agency more often than quarterly;**
- **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**

- **requiring respondents to submit more than an original and two copies of any document;**
- **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
- **in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- **requiring the use of statistical data classification that has not been reviewed and approved by OMB;**
- **that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- **requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

There are no special circumstances.

**8. If applicable, provide a copy and identify the date and page number of publication in the *Federal Register* of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

**Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

**Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years -- even if the collection-of-information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.**

The 60-Day Notice was published in the Federal Register on February 22, 2023 (88 FR 10936). The comment period ended on April 21, 2023. No comments were received.

**9. Explain any decision to provide any payments or gifts to respondents, other than remuneration of contractors or grantees.**

No government funds will be used as payment or for gifts to respondents.

**10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

Confidentiality is not assured. Information collected by the PSD is protected by the Privacy Act of 1974; System of Records 82 FR 24147 and will not be released to outside parties, unless authorized as set forth in the Privacy Act of 1974.

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

Respondents are required to provide PII, including full name, date of birth, and social security number (last four digits) to verify the respondent's identity. This information collection also protects the respondents from the collection of erroneous information and significantly reduces any likelihood of false records.

**12. Provide estimates of the hour burden of the collection of information. The statement should:**

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. General, estimates should not include burden hours for customary and usual business practices.**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

**Estimated Annualized Respondent Cost and Hour Burden**

Activity	Number of Respondents	Frequency	Total Annual Responses	Time Per Response	Total Annual Burden (Hours)
Drug Activity Questionnaire 8620.12	2,000	1	2,000	10min	333hrs
<i>Unduplicated Totals</i>	<i>2,000</i>		<i>2,000</i>		<i>333hrs.</i>

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

- **The cost estimate should be split into two components: (a) a total capital and start up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of service component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.**
- **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**
- **Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.**

The estimated cost per respondent is \$1.00. At \$0.10 a page, each respondent will need to complete the 3-page information collection for \$0.30. Mailing costs are \$0.58 per ounce. It is

expected that 25% will submit the forms via mail. The estimated total annual cost is \$500 (2,000 x 25% = 500 x \$1= \$500).

**14. Provide estimates of the annualized cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 into a single table.**

There is no cost to the Federal Government.

**15. Explain the reasons for any program changes or adjustments.**

There are no changes associated with this submission, as this is a new collection of information.

**16. For collections of information whose results will be published, outline plans for tabulations, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

ATF will not publish this information collection.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

We are requesting no exemption.

**18. Explain each exception to the certification statement.**

This collection of information does not include any exceptions to the certificate statement.

## **B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS.**

This collection does/does not contain statistical data.